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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

DAVEN TOY

(Enter above the full name
of the plaintiff or plaintiffs in
this action)

08CV1728
JUDGE BUCKLO
MAG. JUDGE VALDEZ

vs.

Case no. _____
(To be supplied by the Clerk of this Court)

TERRY MCCANN OF
STATEVILLE CORR. CNTR.
MAURICE LAKE OF
STATEVILLE (NRC)

(Enter above the full name of ALL
defendants in this action. Do not
use "et al.")

CHECK ONE ONLY:

- ☒ **COMPLAINT UNDER THE CIVIL RIGHTS ACT, TITLE 42 SECTION 1983**
U.S. Code (state, county, or municipal defendants)
- ☐ **COMPLAINT UNDER THE CONSTITUTION ("BIVENS" ACTION), TITLE**
28 SECTION 1331 U.S. Code (federal defendants)
- ☐ **OTHER** (cite statute, if known)

BEFORE FILLING OUT THIS COMPLAINT, PLEASE REFER TO "INSTRUCTIONS FOR FILING." FOLLOW THESE INSTRUCTIONS CAREFULLY.

I. Plaintiff(s):

- A. Name: DAWEN TOY
- B. List all aliases: DAWEN TOY
- C. Prisoner identification number: N94265
- D. Place of present confinement: STATEVILLE CORR. CENTER
- E. Address: PO BOX 112 JOUET, IL. 60434

(If there is more than one plaintiff, then each plaintiff must list his or her name, aliases, I.D. number, place of confinement, and current address according to the above format on a separate sheet of paper.)

II. Defendant(s):

(In A below, place the full name of the first defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Space for two additional defendants is provided in B and C.)

- A. Defendant: TERRY M^CCANN
- Title: WARDEN
- Place of Employment: STATEVILLE CORRECTIONAL CENTER
- B. Defendant: MAURICE LAKE
- Title: SUPERINTENDENT OF N.R.C.
- Place of Employment: STATEVILLE CORR. CENTER
- C. Defendant: _____
- Title: _____
- Place of Employment: _____

(If you have more than three defendants, then all additional defendants must be listed according to the above format on a separate sheet of paper.)

III. List ALL lawsuits you (and your co-plaintiffs, if any) have filed in any state or federal court in the United States:

- A. Name of case and docket number: N/A
- B. Approximate date of filing lawsuit: N/A
- C. List all plaintiffs (if you had co-plaintiffs), including any aliases: N/A
- D. List all defendants: N/A
- E. Court in which the lawsuit was filed (if federal court, name the district; if state court, name the county): N/A
- F. Name of judge to whom case was assigned: N/A
- G. Basic claim made: N/A
- H. Disposition of this case (for example: Was the case dismissed? Was it appealed? Is it still pending?): N/A
- I. Approximate date of disposition: N/A

IF YOU HAVE FILED MORE THAN ONE LAWSUIT, THEN YOU MUST DESCRIBE THE ADDITIONAL LAWSUITS ON ANOTHER PIECE OF PAPER, USING THIS SAME FORMAT. REGARDLESS OF HOW MANY CASES YOU HAVE PREVIOUSLY FILED, YOU WILL NOT BE EXCUSED FROM FILLING OUT THIS SECTION COMPLETELY, AND FAILURE TO DO SO MAY RESULT IN DISMISSAL OF YOUR CASE. CO-PLAINTIFFS MUST ALSO LIST ALL CASES THEY HAVE FILED.

IV. Statement of Claim:

State here as briefly as possible the facts of your case. Describe how each defendant is involved, including names, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

PLAINTIFF HAS INFORMED STATEVILLE CORRECTIONAL STAFF OF HIS NEED TO HAVE ACCESS TO A LAW LIBRARY. PLAINTIFF HAS FILED SEVERAL GRIEVANCES TO COUNSLOR CINDY SHELLY AND HAS EXPLAINED HE HAS PENDING CHARGES IN THE CIRCUIT COURT OF COOK COUNTY AND IS ACTING IN THE MANNER OF A PROSE DEFENDANT AND NEEDS ACCESS TO LEGAL BOOKS AND MATERIALS IN ORDER TO PREPARE FOR HIS UPCOMING TRIAL. PLAINTIFF WAS THEN GIVEN FORMS TO REQUEST MATERIALS, AND SEND FORMS TO LAW LIBRARY WHICH PLAINTIFF DID, BUT RECEIVED NO RESPONSE. PLAINTIFF HAS BEEN CONFINED TO HIS CELL 24hrs A DAY SINCE SEPT. 20th 2007, AND CANNOT DEFEND HIMSELF PROPERLY IN COURT BY BEING CONFINED AND WITHOUT THE USE AND ACCESS TO THE LAW LIBRARY. PLAINTIFF HAS ALSO REQUESTED TO BE TRANSFERED FROM THE NORTHERN RECEIVING CENTER INTO THE MAIN COMPLEX AT STATEVILLE CORRECTIONAL CENTER TO HAVE PROPER AND

APPROPRIATE ACCESS TO LEGAL MATERIALS, AND
HAS RECEIVED NO REPLY NOR HAS HIS REQUEST
FOR DOCUMENTS RECEIVED A RESPONSE FROM THE
PERSONNEL AT STATEVILLE CORRECTIONAL CENTER'S
LAW LIBRARY. PLAINTIFF IS BEING DENIED ACCESS
TO THE COURTS AND THE STAFF AT STATEVILLE
CORRECTIONAL CENTER HAS BEEN MADE AWARE
OF THIS MATTER AND HAS NOT RESPONDED,

V. Relief:

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

TO HAVE ACCESS TO THE LAW LIBRARY AND LEGAL
MATERIALS UNTIL PENDING CASE ARE COMPLETED IN THE
CIRCUIT COURT OF COOK COUNTY ALSO TO BE HELD ACCOUNTABLE
FOR THE VIOLATION OF THE ~~PL~~ PLAINTIFFS RIGHTS

VI. The plaintiff demands that the case be tried by a jury. ☐ YES ☒ NO

CERTIFICATION

By signing this Complaint, I certify that the facts stated in this Complaint are true to the best of my knowledge, information and belief. I understand that if this certification is not correct, I may be subject to sanctions by the Court.

Signed this 13 day of MAR, 2008

Damen Jay

(Signature of plaintiff or plaintiffs)

DAMEN TOY

(Print name)

N94265

(I.D. Number)

STATEVILLE CORRECTIONAL CENTER

P.O. Box 112

JOLIET, IL 60434

(Address)